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**AUG 29 2008**

In re Application of :  
Charen et al. :  
Application No. 10/767,592 : **ON PETITION**  
Filed: January 28, 2004 :  
Attorney Docket No. CHAREN-PA-1 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 29, 2008, to revive the above-identified application.

The petition is **DISMISSED** because it is unsigned. It appears that the petition was intended to be signed by Mr. Royal W. Craig, an attorney registered to practice before the U.S. Patent and Trademark Office.

37 CFR 1.33(b) states that:

“Amendments and other papers filed in the application must be signed by:

- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b),
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34,
- (3) An assignee as provided for under § 3.71(b) of this chapter, or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter”.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D).

The petition lacks item (3), the petition is not signed and therefore, the petition is considered as not containing a proper statement of unintentional delay and cannot be accepted.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

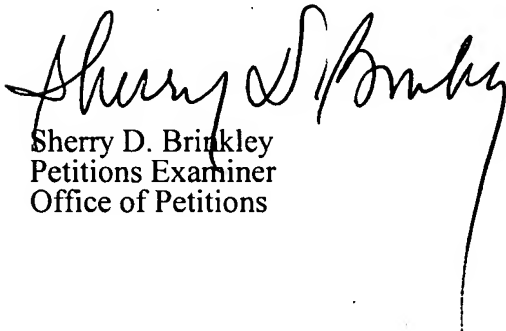
Further correspondence with respect to this matter should be addressed as follows:

By Mail:                      Mail Stop PETITION  
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By hand:                     U. S. Patent and Trademark Office  
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The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.



Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions